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**Patent**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Vincent J. Colandrea, et al

Int'l Appln.  
No. : PCT/US2004/041887

Int'l Date  
Filed : December 13, 2004

Serial No. : 10/575,790 Case No.: 21419YP

Filed : April 12, 2006

For : (3-4-DISUBSTITUTED)PROPANOIC CARBOXYLATES  
AS S1P (EDG) RECEPTOR AGONISTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop PCT

**RESPONSE TO SEQUENCE LISTING REQUIREMENT**

Sir:

This communication is in response to the Notification to Comply with Requirements for Patent Applications containing Nucleotide and/or Amino Acid Sequence Disclosures dated January 8, 2007 a copy of which is enclosed. The Notification did not identify any specific nucleotide and/or amino acid sequence disclosure in the specification. The undersigned has reviewed the specification and did not identify any nucleotide and/or amino acid sequence disclosure that is believed to require a "Sequence Listing". Therefore, no submission in response to the Notification is required.

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Case No.: 21419YP  
Page 2

The Commissioner is hereby authorized to charge any fees incurred with regard to this office action to Deposit Account No. 13-2755.

If there are any questions, please contact the undersigned.

Respectfully submitted,

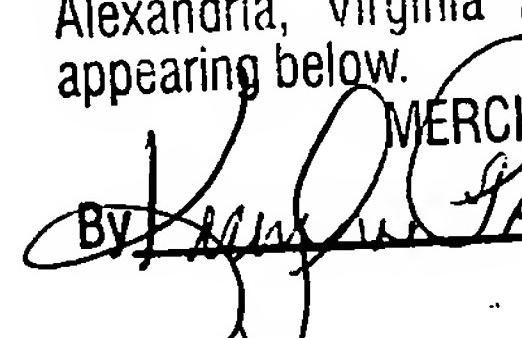
By Raynard Yuro  
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MERCK & CO., Inc.  
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Date: January 22, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

  
By Raynard Yuro Date 1-22-2007

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21419YP

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,790	Vincent J. Colandrea	21419YP

INTERNATIONAL APPLICATION NO.

PCT/US04/41887

I.A. FILING DATE	PRIORITY DATE
12/13/2004	12/17/2003

210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

*(NMP)  
SJB listing one  
3/8/04*

CONFIRMATION NO. 5255  
371 FORMALITIES LETTER



\*OC000000021867664\*

Date Mailed: 01/08/2007

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

PATENT DEPT.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

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Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,790	PCT/US04/41887	21419YP

FORM PCT/DO/EO/922 (371 Formalities Notice)